

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,

Case No. 23-CR-0108 (PJS/JFD)

Plaintiff,

v.

ORDER

KEVIN DEANDRE BENNETT,

Defendant.

Lindsey E. Middlecamp, UNITED STATES ATTORNEY'S OFFICE, for
plaintiff.

James S. Becker, FEDERAL DEFENDER'S OFFICE, for defendant.

Defendant Kevin Bennett is charged with firearm and drug-trafficking offenses. This matter is before the Court on Bennett's objection to the November 7, 2023, Report and Recommendation ("R&R") of Magistrate Judge John F. Docherty. Judge Docherty denied Bennett's motion for a hearing pursuant to *Franks v. Delaware*, 438 U.S. 154 (1978), and recommends denying Bennett's motions to dismiss and suppress evidence.

The Court has conducted a de novo review. *See* 28 U.S.C. § 636(b)(1); Fed. R. Crim. P. 59(b)(3). Based on that review, the Court overrules Bennett's objection and adopts the R&R.

ORDER

Based on the foregoing, and on all of the files, records, and proceedings herein, the Court OVERRULES defendant's objection [ECF No. 72] and ADOPTS the R&R [ECF No. 67]. IT IS HEREBY ORDERED THAT:

1. Defendant's motion to dismiss [ECF No. 39] is DENIED.
2. Defendant's motion to suppress [ECF No. 52] is DENIED.
3. The denial of defendant's motion for a *Franks* hearing is AFFIRMED.

Dated: January 2, 2024

s/Patrick J. Schiltz

Patrick J. Schiltz, Chief Judge
United States District Court